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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,332	07/28/2000	Luc Beaudoin	71493-855	3458

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EXAMINER

VU, KJEU D

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,332

Applicant(s)

BEAUDOIN, LUC

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-18, 36-38, 54-57, 60, 63, 64 and 67-75 is/are rejected.
- 7) ☒ Claim(s) 6, 19-35, 39-53, 58, 59, 61, 62, 65 and 66 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/10/11/00.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant is advised that should claim 36 be found allowable, claim 60 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 75 is rejected under 35 U.S.C. 101 because the claim claims "A printed medium" is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 7, and 69-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Mumm (USP 6608635).

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Regarding claims 1, 69-71, and 75, Mumm teaches steps for displaying representation of nodes, and links connecting said nodes, the steps comprising displaying a node line representing each one of said nodes (each element S1 to S6, element A, element B in Fig. 4A-4B, each node line being parallel to every other node line (col 2, lines 52-53); displaying a link line representing each one of said links, each link line being perpendicular to each node line (vertical connections between horizontal lines in Fig. 4A-4B) (also see col 3, lines 29-40), wherein each link line terminates at two node lines (see Fig. 4A where vertical connections terminate at two horizontal lines), said two nodes lines representing the nodes connected by the link represented by the link line (interconnections between individual elements; see col 3, lines 29-40).

Regarding claims 7 and 72-74, Mumm teaches the nodes and links are in telecommunication system (network system).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-5, 8-18, 36-38, 54-57, 60, 63-64, and 67-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mumm and Bush, Jr. (USP 6486899).

Regarding claims 2 and 8, Mumm does not teach that each link line is displayed in a manner which visually communicates a link attribute of the link it represents. However, such feature is known in the art as taught by Bush, Jr. Bush, Jr. teaches a

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system for displaying logistics information having icons representing entities in a supply chains and links representing distribution time associated with moving items between the entities (abstract). Bush, Jr. further teaches that each link is displayed in a manner with visually communicates a link attribute of the link it represents (transportation resources, shipping resources, etc; see col 4, lines 37-43). It would have been obvious to one of ordinary skill in the art, having the teaching of and before him at the time the invention was made, to modify the display system taught Mumm to include the visually display link attributes taught by Bush, Jr. with the motivation being to help the view to easily evaluate the performance of the system.

Regarding claims 3 and 16, Bush, Jr. teaches the displaying the link line in a distinctive color (col 9, lines 55-59).

Regarding claims 4 and 17, Bush, Jr. teaches the displaying the link line as a patterned line (time icon 62 on links).

Regarding claims 5 and 18, Bush, Jr. teaches the displaying the link line in a manner which visually communicates a plurality of link attributes of the link it represents (arrow and time icon in links, see Fig. 2B).

Regarding claim 9, Bush, Jr. teaches the link attribute is a relative traffic level on the link (distribution resources; col 4, lines 37-43).

Regarding claim 10, Bush, Jr. teaches the link line is a function of relative traffic level on the link (each link may have a length proportional to the distribution time; col 2, lines 2-7).

Regarding claims 11-12, Bush, Jr. teaches that the link attribute is a direction of travel of data on the link (arrows or other directional indicators 58; col 4, lines 43-46).

Regarding claim 13, Bush, Jr. teaches the link attribute is a geographic location of said link (locations of the entities).

Regarding claim 14, Bush, Jr. teaches the link attribute is a performance characteristic of said link (distribution time is a performance characteristic; col 2, lines 2-7).

Regarding claim 15, Bush, Jr. teaches the link attribute is a status of said link (arrow 58 shows the status of the direction).

Regarding claims 36 and 60, Bush, Jr. teaches the selecting link lines to form a link grouping (sub-chain having entities and links; col 4, lines 49-53).

Regarding claim 54, Bush, Jr. teaches the selecting nodes to form a node grouping (sub-chain having entities and links; col 4, lines 49-53).

Regarding claims 55 and 37, Bush, Jr. teaches the compressing node grouping (icon 50 represents several entities) and displaying a single compressed node line representing all of the nodes represented in the node grouping (col 4, lines 49-57).

Regarding claims 56 and 38, Bush, Jr. teaches the expanding the compressed node and displaying nodes represented by the compressed node (expanding icon 50 into several icons 48; col 4, lines 49-57).

Regarding claim 57, Bush, Jr. teaches a bar whose length is a function of value of a characteristic of the link (length of link is proportional to the distribution time; col 2, lines 2-7).

Regarding claims 63-64 and 67-68, Bush, Jr. teaches a time selector which is a slide tab 66 on the time bar 64, wherein the time is selected by moving the slide tab 66

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to a location on the time bar corresponding with the time to be selected (line 63 of col 6 to line 4 col 7).

Allowable Subject Matter

8. Claims 6, 19-35, 39-53, 58-59, 61-62, and 65-66 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 6, 19, and 35, none of the prior art fairly teaches or suggests the limitation "displaying a plurality of link attribute identifiers for each of which there is an associated link attribute for each link; providing a selection input mechanism for selection of a selected one of said link attribute identifiers; wherein upon selection of said selected one of said link attribute identifiers, each link line is displayed in a position relative to every other link line, determined by a comparison of the link attribute associated with said selected one of said link attribute identifiers, for the link represented by the link line, with the link attribute associated with the said selected one of said link attribute identifiers, for every other link".

Regarding claims 39 and 53, none of the prior art fairly teaches or suggests the limitation "displaying a plurality of node attribute identifiers for each of which there is an associated node attribute for each node; providing a selection input mechanism for selection of a selected one of said node attribute identifiers; wherein a first node

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attribute is the node attribute associated with the said selected one of said node attribute identifiers, and upon selection of said selected one of said node attribute identifiers, each node line is displayed in a position relative to every other node line, determined by a comparison of the first node attribute of the node represented by the node line, with the first node attribute of every other node”.

Regarding claim 58, none of the prior art fairly teaches or suggests the limitations “displaying a plurality of performance characteristics identifiers for each of which there is an associated performance characteristic value for each link; providing a selection input mechanism for selection of a selected one of said performance characteristic identifiers; wherein upon selection of said selected one of said performance characteristic identifiers, each bar is displayed having a length which is a function of the performance characteristic value associated with the said selected one of said performance characteristic identifiers, for the link represented by the link line with which the performance bar is associated”

10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach about displaying nodes and links which relates to the claimed invention.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

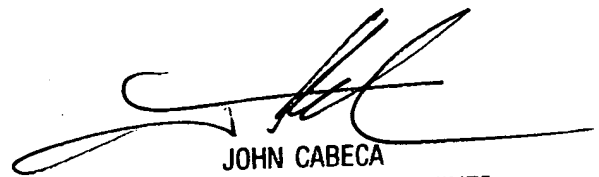
and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

02/05/04



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 4